

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ASHLEY D. CARNEY, :
Plaintiff, : 18 Civ. 713 (LGS)
:-----
-against- : ORDER
:-----
BOSTON MARKET, et al., :
Defendants. :
:-----X

LORNA G. SCHOFIELD, District Judge:

WHEREAS, Defendant Boston Market has filed a motion for default judgment surrendering to complete relief in satisfaction of Plaintiff's claims (Dkt. No. 124).

WHEREAS, "where a defendant surrenders to complete relief in satisfaction of a plaintiff's claims, the district court may enter default judgment against the defendant -- even without the plaintiff's agreement thereto." *Radha Geismann, M.D., P.C. v. ZocDoc, Inc.*, 909 F.3d 534, 542 (2d Cir. 2018) (internal quotation marks omitted), *cert. denied*, 139 S. Ct. 1605 (2019); *accord Bais Yaakov of Spring Valley v. Educ. Testing Serv.*, No. 13 Civ. 4577, 2021 WL 323262, at *2-3 (S.D.N.Y. Feb. 1, 2021).

WHEREAS, once a district court enters judgment against a defendant, "the plaintiff's individual claims will become moot for purposes of Article III." *Tanasi v. New Alliance Bank*, 786 F.3d 195, 200 (2d Cir. 2015), *cert. denied*, 136 S. Ct. 979 (2016); *accord Bais Yaakov of Spring Valley*, No. 13 Civ. 4577, 2021 WL 323262, at *8.

WHEREAS, Plaintiff's remaining claims are for, at most, \$11.63 (Dkt. No. 123).

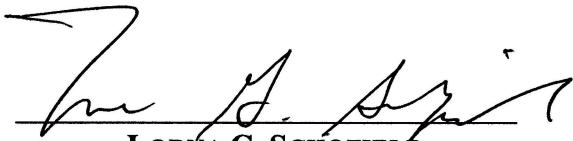
WHEREAS, Boston Market seeks an entry of judgment in favor of Plaintiff for \$11.63.

WHEREAS, Plaintiff has not sought to oppose or otherwise contest entry of judgment. It is hereby

ORDERED that judgment is ENTERED in favor of Plaintiff and against Defendant Boston Market for \$11.63.

The Clerk of Court is respectfully directed to terminate the motion at Dkt. No. 124 and to close the case.

Dated: June 14, 2021
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE